IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.467 OF 2006

In

SUIT NO.980 OF 1997

Darshan Ramniklal Shah : Plaintiff

V/s.

Bhupendra Impex Pvt. Ltd. & Ors. : Defendants

...

Ms Pooja Bhatia i/b. M/s.Shah & Sanghavi for the defendants in support.

Mr.Rahul Kapoor i/b. R.A.K.Najam-es-sani for the plaintiff to show cause.

...

CORAM : S.A.BOBDE, J.

DATE : JANUARY 29, 2007.

P.C.

Heard.

2. This is the defendants' Notice of Motion to set aside the order dated 27.1.2006 passed by the Prothonotary & Senior Master transferring the suit to the list of undefended suits for default of the defendants' appearance.

3. There is no affidavit-in-reply filed by the plaintiff. In view of the averments in paras 3 and 4 of the affidavit-in-support of the Notice of Motion, I set aside the order dated 27.1.2006.

4. Order accordingly. The defendants' Written Statement tendered by the learned counsel is hereby taken on record.

5. Notice of Motion stands disposed of.

S.A. BOBDE, J.